

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANT. BAIL APPLICATION NO.2048 OF 2021

Palash Saikia s/o
Boparam Saikia ... Applicant
Vs
The State of Maharashtra ... Respondents
...

Mr. Syed A.A.Naqvi for the Applicant.
Smt. Anamika Malhotra, APP for the Respondent-State.
PSI Ajay Bhosle, MIDC P.Stn. Present.

CORAM : SANDEEP K. SHINDE J.
DATE : 31st AUGUST, 2021.

P.C. :

Heard.

2 Applicant is permanent resident of Assam State. He is brother-in-law of the deceased, Sapna. She committed suicide 12th August, 2021 in Mumbai. At the material time or even before that he had never visited the house of the deceased.

3 The learned counsel for the applicant on instructions submitted that applicant visited Mumbai for the first time on 13th August, 2021, after the incident of suicide. It is, therefore, submitted that the applicant has been falsely implicated in the, offence of abetting commission of suicide.

4 Primary evaluation of the First Information Report does not indicate applicant's complicity in the crime and the allegations of harassment made against the applicant are general and indefinite in nature.

5 For these reasons, in my view, a case is made out for granting pre-arrest protection to the applicant. Application is allowed. Hence, the following order;

ORDER

(i) In the event of arrest of the applicant in Crime No.750 of 2021 registered with MIDC Police Station, Mumbai, for the offence punishable under Section 306 of the Indian Penal Code, 1860, he shall be released on executing PR bond for the sum of Rs.25,000/- with one or more sureties in like sum.

(ii) The applicant shall attend the concerned police station as and when called.

6 The application is accordingly allowed and disposed of.

7 It is made clear that observations made here-in-above be construed as expression of opinion for the purpose of bail only and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)